



021204

05541 U.S. PTO

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

**Duplicate ☐]
(check, if applicable)**

Commissioner for Patents
MAIL STOP PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No. 040853-01-5030-01
First Named Inventor: Clausen et al.
Express Mail No.: EL946376923US
Total Pages of Transmittal Form: 2

22553 U.S. PTO

10/777828



021204

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**UDP-GALACTOSE: β -N-ACETYL-GLUCOSAMINE β 1,
3GALACTOSYLTRANSFERASES, β 3GAL-T5**

which is:

an ☐] Original; or

a ☐] Continuation, ☒] Divisional, or ☐] Continuation-in-part (CIP)

of prior Patent Application No. 09/831,630 filed May 10, 2001, which is a U.S. National Stage Application under 35 U.S.C. § 371 of International Application No. PCT/US99/26807, filed November 11, 1999, which claims priority in the United States under 35 U.S.C. § 119 to Denmark Application No. PA 1998 01483 filed November 13, 1998.

☐] This non-provisional patent application is based on Provisional Patent Application No. _____, filed _____.

Enclosed are:

☒] Copy of Specification (including Abstract) and claims: 53 pages.

☐] Application Data Sheet.

☐] Newly executed/unexecuted Declaration (original/copy).

☒] Copy of Declaration from prior application.

☒] Copy of Revocation and Power of Attorney filed in Parent Application No. 09/831,630.

☐] Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).

☒] Copy of 5 sheets of original (formal) drawings as filed in prior Patent Application No. 09/831,630 filed May 10, 2001.

☐] Microfiche computer program (Appendix).

☒] Nucleotide and/or Amino Acid Sequence Submission, including:

☐] Computer readable copy ☒] Paper Copy ☒] Verified Statement.

☒] Please transfer the diskette version of the Sequence Listing from Parent Application No. 09/831,630 to the present application.

☐] Under PTO-1595 Cover Sheet, an assignment of the invention

☒] Name of Assignee: Neose Technologies, Inc.

☐] Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:

☐] herewith or ☐] in prior application &@.

☒] Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐] an Independent Inventor, or ☐] a Small Business Concern, or ☒] a Non-Profit Organization.

- ☒ Preliminary Amendment.
- ☒ Information Disclosure Statement and PTO-1449. Copies of the references cited are not included as they have been filed or cited in the parent application no. 09/831,630.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☒ Other: One (1) "replacement Figure 1" drawing sheet and one (1) "marked-up Figure 1" drawing sheet; both as filed in Parent Application No. 09/831,630.

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$385			\$770	
Total	4-20 =	0	X9	\$0	OR	X18	\$
Independent	1-3 =	0	X43	\$0	OR	X86	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$145	\$	OR	\$290	\$
			TOTAL	\$385.00	OR	TOTAL	\$

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 040853-01-5030-01)** as noted below.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☒ Filing fee in the amount of \$ 385.00 as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

FEBRUARY 17, 2004
(Date)

By:

Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4723
Facsimile: (215) 963-5001
E-Mail: kdoyle@morganlewis.com
Attorney for Applicants

☒ Customer Number or Bar Code Label: **028977**
KD/TMS/ JD
Enclosures